



December 8, 2011

***Ex Parte Notice***

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

***Connect America Fund, WC Docket No. 10-90; A National Broadband Plan for Our Future, GN Docket No. 09-51; Establishing Just and Reasonable Rates for Local Exchange Carriers, WC Docket No. 07-135; High-Cost Universal Service Support, WC Docket No. 05-337; Developing a Unified Intercarrier Compensation Regime, CC Docket 01-92; Federal-State Joint Board on Universal Service, CC Docket No. 96-45; Lifeline and Link-Up, WC Docket No. 03-109; Universal Service Reform – Mobility Fund; WT Docket No. 10-208***

Dear Ms. Dortch:

On Tuesday, December 6, 2011, Shirley Bloomfield and the undersigned, on behalf of the National Telecommunications Cooperative Association (“NTCA”), met separately to discuss matters in the above-referenced proceedings with: (1) Angela Kronenberg, Wireline Legal Advisor to Commissioner Clyburn; (2) Zac Katz, Chief Counsel and Senior Legal Advisor to Chairman Genachowski, together with Austin Schlick and Michael Steffen of the Office of General Counsel and Sharon Gillett, Carol Matthey, and Rebekah Goodheart of the Wireline Competition Bureau; and (3) Christine Kurth, Policy Director & Wireline Counsel to Commissioner McDowell.

NTCA raised several critical policy and legal issues related to the recent Order and Further Notice of Proposed Rulemaking in the above-referenced proceedings. Specifically, consistent with prior filings, we expressed concern with the determination that the caps on supported expenses adopted in the Order will apply to investments made prior to development of those caps, and also that these caps will change thereafter on an annual basis. *See, e.g., Ex Parte* filing of NTCA, *et al.*, (dated Oct. 19, 2011), at 2. Furthermore, consistent with prior filings, we expressed concern regarding the use of a bill-and-keep framework to mandate application of a zero rate for switched access services and facilities. *See, e.g., Ex Parte* filing of NTCA (dated Oct. 17, 2011), at 2. Finally, consistent with prior filings, NTCA noted concerns with respect to the selective consideration of non-regulated operations in determining eligibility for support of

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regulated operations. *See, e.g.,* Comments of NECA, *et al.*, (filed Aug. 24, 2011) at 28-30; Reply Comments of NECA, *et al.*, WC Docket No. 10-90, *et al.* (filed May 23, 2011) at 27-32.

Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed via ECFS with your office. If you have any questions, please do not hesitate to contact me at (703) 351-2016 or [mromano@ntca.org](mailto:mromano@ntca.org).

Sincerely,

/s/ Michael R. Romano  
Michael R. Romano

Senior Vice President - Policy

cc: Angela Kronenberg  
Zac Katz  
Austin Schlick  
Michael Steffen  
Sharon Gillett  
Carol Matthey  
Rebekah Goodheart  
Christine Kurth